

elected to the Senate and offer amendments and consider legislation.

The unanimous consent request offered by the majority leader was to take up this bill and pass it without any discussion or any amendments. Now there is a negotiation here saying: Maybe I will allow it to be brought to the floor if the Senator from Nevada would, on behalf of his side, agree to no more than five amendments.

The fact is, it seems to me if we fretted a little less about what someone might do when they bring something to the floor and started working through it, it would probably take a whole lot less time.

I happen to be supportive of the H-1B legislation, but I am not very supportive of some notion of anybody in the Senate saying: Here are the conditions under which we will consider it—and only these conditions—and if you don't like it, we won't consider it.

I hope the Senator from Nevada—if the majority leader insists on his unanimous consent request—will make a unanimous consent request following that similar to the one suggested by the Senator from Massachusetts, a unanimous consent request to bring the issue to the floor under the regular order at this time.

The PRESIDING OFFICER. Is there objection?

Mr. REID. Objection.

The PRESIDING OFFICER. Objection is heard.

Mr. LOTT. Mr. President, I now ask unanimous consent that the Senate proceed to morning business, with Senators permitted to speak for up to 10 minutes each.

Mr. REID. If the Senator would withhold, I do ask unanimous consent that the H-1B legislation be brought before the Senate at this time, that we be allowed to proceed on that.

Mr. LOTT. Mr. President, I withhold that UC request I made, but I object to the one that was just made.

The PRESIDING OFFICER. Objection is heard.

MORNING BUSINESS

Mr. LOTT. Mr. President, I renew my unanimous consent request that the Senate proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2001

Mr. WARNER. Mr. President, while the distinguished leader is on the floor, there was some hope we could bring up the military authorization bill tonight. Senator LEVIN and I consulted with you on this, I say to the majority leader. We will have for our joint leadership tomorrow a list of amendments,

with time agreements, and be ready to go. I say to the majority leader, you can splice this in as you see fit. I assure the majority leader—I see my distinguished colleague from Michigan on the floor—my colleague from Michigan is ready to join me on this. We will present to our joint leadership specific germane amendments on the list, and move along on this bill.

Mr. LOTT. Mr. President, if the Senator would yield, I am not sure what that means. That means, I think, you are not going to be able to consider any amendments tonight.

Mr. WARNER. That is correct. We made a strong effort.

Mr. LOTT. When you say you will present a list of amendments, and will try to work them through the process, that does mean, I take it, the amendments still would be debated, if they have to be debated.

Mr. WARNER. That is correct.

Mr. LOTT. Tuesday night.

Mr. WARNER. Tuesday night.

Mr. LOTT. The votes would occur on Wednesday morning, if any?

Mr. WARNER. That is correct.

Mr. LOTT. Do you have any amendments where there would be a need for a vote in the morning?

Mr. WARNER. Not tomorrow morning, I say to the leadership.

Mr. LOTT. Can you give me an idea about how many nights might be involved here because we are already beginning to think about another bill next week.

Mr. WARNER. I listened to that very carefully. I would say that with three evenings we can do it. And there may be a juncture during the course of the day when there could be an hour or two. If you give us a ring, we will have an amendment to plug in for that brief period of time.

Mr. LEVIN. If the leader will yield, it would be very helpful—I know it is difficult, and I have not had a chance to speak to my chairman about this, but if we knew in advance about when we would start the evening proceeding, I think that would help us line up some amendments.

Mr. LOTT. I believe sort of the gentlemen's agreement we were talking about last week was that we would start at about 6:30 or 7 o'clock, but not later than 7, and hopefully as early as 6:30 tomorrow night, possibly even Wednesday night. Thursday night is not likely. So then you might have to look at next Monday night for the third night, if a third night in fact is used.

There is a possibility we will reach a moment of lull or we will see an hour or two coming sometime during the day, and we will call quickly and ask for the managers to come over and do some of their work.

Mr. LEVIN. That would be good.

Mr. REID. Mr. President, if I could, just being involved on the fringes of

this legislation, I think with the work of Senator LEVIN and Senator WARNER, they will complete this in two nights.

Mr. LOTT. I like the sound of that. Good luck.

Mr. WARNER. I thank our distinguished leader.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. I understood we are in morning business at this time. Are we moving toward the Defense authorization bill? If we are moving on the Defense authorization bill, I will withhold.

The PRESIDING OFFICER. We are in morning business.

Mr. KENNEDY. I see my friends from Michigan and Virginia. Anytime they are prepared to request the floor, I will yield time.

H-1B VISAS AND ELEMENTARY AND SECONDARY EDUCATION

Mr. KENNEDY. Mr. President, I just want to take a moment of the Senate's time to speak about the two issues that have been talked about recently. One is the H-1B visa issue, to which the majority leader referred, as did Senator REID and Senator DORGAN, which will lift the caps so that we can have available to American industry some of the able, gifted, and talented individuals who have come to this country and who can continue to make a difference in terms of our economy.

We are in the process—at least I thought so, as a member of the Immigration Subcommittee—of working with Senator ABRAHAM from the State of Michigan, in working that process through to try to respond to the concerns that the leadership have; and that is that we debate that issue in a timely way, with a limited number of amendments, and that we reach a final conclusion in a relatively short period of time.

I had believed that those negotiations, at least from our side, were very much on track. During the negotiations, we had talked to the White House as well as with the House Judiciary Committee members, all of whom have an obvious interest.

So it did come as kind of a surprise—not that we are not prepared to move ahead. I would be prepared to move ahead even this evening. I do not know where the Senator from Michigan, who has the prime responsibility for that legislation, is this evening. He is not on the floor. But he has been conscientious in addressing that question.

One of the fundamental concerns—as we move toward permitting a number of individuals who have special skills to come in and fill in with the special slots that are crying out for need in our economy—is a recognition that, within our society, these are jobs that eventually should be available to American workers. There is nothing

magical about these particular jobs—that if Americans have the opportunity for training, for additional kinds of education, they would be well qualified to hold these jobs.

Many of us have believed, as we have addressed the immediate need for the increase, that we also ought to address additional kinds of training programs, so that in the future we will have these kinds of high-paying jobs which offer enormous hope and opportunity to individuals, as well as the companies for whom they work, being made available to Americans. We discussed and debated those issues with the Judiciary Committee. We made pretty good progress on those issues. So I think there is a broad degree of support in terms of trying to address that issue.

But there are also some particular matters that cry out for justice as well. When you look back on the immigration issues, there were probably 350,000, perhaps 400,000 individuals who qualified for an amnesty program that was part of the law. As a result of a court holding that was actually overturned, all of these individuals' lives have been put at risk and, without any degree of certainty, subject to instances of deportation. So we wanted to try to address this issue. It seems to me that could be done in a relatively short period of time. It is a question of fundamental decency and fundamental justice.

We treat individuals who come from Central American countries differently, depending upon which country they come from. Therefore, there was some desire we would have a common position with regard to individuals. Senator MOYNIHAN had introduced legislation to that effect. That is basically a question of equity. There are really no surprises. It is not a new subject to Members of the Senate. It is something about which many of us have heard, on different occasions, when we have been back to see our constituencies.

These are some of the items that I think we could reach, if there were differences, a reasonable time agreement. But they are fundamental in terms of justice and fairness to individuals and their families.

If we are going to consider one aspect of change in the immigration law, it is not unreasonable to say if we are going to address that now, we ought to at least have the Senate vote in a responsible way on these other matters in a relatively short period of time so the Senate can be meeting its responsibilities in these other areas. So I look forward to the early consideration of this bill.

This isn't the first time we have dealt with the H-1B issue. We made some changes a few years ago. We were able to work it out in a bipartisan way. There is no reason that American industry should have concern that we are

not going to take action. We will take action. Hopefully, we will do it in the next 3 weeks. There is no reason we should not.

The other issue is the question of elementary and secondary education. I certainly understand the responsibilities we have in completing Defense authorization, which is enormously important legislation. I am heartened by what the majority leader has said with regard to the follow-on in terms of elementary and secondary education. That is a priority for all American families. We ought to debate it. The principal fact is that we have debated it for 6 days and we have had seven amendments. Three of them were virtually unanimous. We didn't have to have any rollcall votes. On 2 of the 6 days, we were restricted because we were forbidden to offer amendments and have votes. We haven't had a very busy time with that as compared to the bankruptcy legislation, where we had 15 days and more than 55 amendments.

In allocating time, we are asking for fairness to the American families on education. If the Senate is going to take 15 days and have 55 amendments on bankruptcy legislation, we can take a short period of time—2 or 3 days—and have good debate on the question of elementary and secondary education, which is so important to families across the country.

With all respect to the majority leader, the issue of school safety is out there. We need to ensure that we will do everything we possibly can to make sure we are not only going to have small class sizes, well-trained teachers, afterschool programs, efforts to try to help to respond to the needed repairs that are so necessary to so many schools across this country, and strong accountability provisions but make sure that, even if we are able to get those, the schools are going to be safe. We have measures we believe the Senate should address to make them safe.

If the majority is going to continue to, in a real way, filibuster, effectively, the consideration of elementary and secondary education by never bringing the matter before the Senate, they bear the responsibility of doing so. It is their responsibility. Every family in this country ought to understand that because they have the power, the authority, and the responsibility to put that before the Senate. If there is a question in terms of the relevancy or nonrelevancy of a particular amendment, the Senate can make that decision. But when we are denying families in this country the opportunity to address that and respond to it, we do a disservice to the families and to the children in this country, and, I believe, to the Senate itself.

This issue isn't going to go away. It will not go away. We may have only 3 more weeks, but we are going to continue to press it. We are going to press

it all during July and all during September as well. It will not go away. Elementary and secondary education needs to be addressed. We have to take action. We owe it to the American families, and we have every intention of pursuing it.

I thank the Chair.

BRIGADIER GENERAL PAUL M. HANKINS

Mr. THURMOND. Mr. President, I rise today to pay tribute to an outstanding officer in the United States Air Force who is an individual we have each come to know over the past two years—Brigadier General Paul M. Hankins.

As those of us who work on national security matters know, General Hankins has been serving as the Deputy Director of Legislative Liaison, where he has worked closely with us on a variety of issues of great importance to the defense of the nation. As he has done in all his previous assignments, General Hankins distinguished himself as an individual of selflessness who possesses a strong sense of service and an unflagging dedication to executing his duties to the best of his abilities.

General Hankins arrived at the job of Deputy Director of Legislative Liaison well prepared for the position. A graduate of the United States Air Force Academy, he is a career personnel officer whose assignments are a mix of operational, joint, and high-level staff duties. Included among his tours are assignments at Tactical Air Command, Air Training Command, Air Combat Command, and the Air Force Personnel Center. The General has also served previously in the Secretary of the Air Force's Office of Legislative Liaison and with the Office of the Undersecretary of Defense for Personnel and Readiness. He commanded the 6th Support Group at MacDill Air Force Base, Florida, and he served as chief of the Air Force Colonels' Group.

During the 106th Congress, General Hankins has been a valuable intermediary between the Congress and the Air Force on any number of vital matters. He always provided clear, concise, and timely information that was beneficial in supporting our deliberations on national security matters. Clearly, the leadership, professional abilities, experiences, and expertise of General Hankins enabled him to foster excellent working relationships that benefitted the Air Force and the United States Senate.

On a personal note, I am pleased to point out that I have known General Hankins since his days as a young captain, when he first demonstrated his skills at building ties with the Legislative Branch. At the time, he was serving at Kelly Air Force Base near San Antonio when he met a young woman who was a member of my Washington